

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:

MICHELLE L. HANCOCK
DEBTOR(S)

CASE NO. 1:18-BK-01074

CAPITAL ONE AUTO FINANCE, A
DIVISION OF CAPITAL ONE, N.A.
MOVANT

CHAPTER 13

V.

11 U.S.C. 362

MICHELLE L. HANCOCK
RESPONDENT(S)

CHARLES J. DEHART, III
TRUSTEE

**DEBTOR'S RESPONSE TO MOTION FOR RELIEF FROM AUTOMATIC STAY
UNDER 11 U.S.C. § 362 FILED ON BEHALF OF CAPITAL ONE AUTO FINANCE**

AND NOW, this 11th day of March, 2019, comes the above Debtor, Michelle L. Hancock, by her counsel, CGA Law Firm, PC, and answers the Motion for Relief from the Automatic Stay Under 11 U.S.C. § 362 filed on behalf of Santander Consumer USA Inc. as follows:

1. Admitted.
2. Denied. Paragraph 2 refers to a writing which speaks for itself.
3. Denied. Paragraph 3 refers to a writing which speaks for itself.
4. Admitted. Paragraph 4 refers to a writing which speaks for itself.
5. Denied. Paragraph 5 refers to a writing which speaks for itself.
6. Denied. Paragraph 6 refers to a writing which speaks for itself.

7. Denied. It is admitted that the Debtor has failed to make certain post-petition vehicle payments because of some financial difficulties. The Debtor wishes to enter into an Agreement to cure the remaining arrears and resume normal vehicle payments.

8. Denied. Although the Debtor acknowledges that she owes creditor pursuant to the retail contract, she is not privy to the value of the collateral.

9. Denied. Paragraph 9 refers to a writing which speaks for itself.

10. Denied. Paragraph 10 refers to a writing which speaks for itself.

11. Denied. The movant is not entitled to a waiver of Bankruptcy Rule 4001(a)(3).

12. Denied. Debtor is without knowledge as to whether, and to the extent which, Movant has incurred legal expenses.

WHEREFORE, the Debtor requests that the relief from Stay be denied.

Respectfully submitted,
CGA Law Firm, PC

By: /s/ Lawrence V. Young
Lawrence V. Young, Esquire
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Counsel for Debtor

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CERTIFICATE OF SERVICE

I certify that I am more than 18 years of age and that on March 11, 2019, I forwarded a true and correct copy of the attached Response upon the following parties in the following manner:

| Name | Mode of Service |
|--|-----------------|
| Jason B. Schwartz, Esquire 1333 Race Street Philadelphia, PA 19107 | ECF |
| Charles J. DeHart III Trustee | ECF |

By: /s/ Lawrence V. Young
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